

IN THE CLAIMS:

1-66 (Presently Canceled)

1
~~67~~. (New): An isolated nucleic acid molecule, or its complement, wherein the isolated nucleic acid i) encodes a polypeptide which exhibits lipase activity and ii) is selected from the group consisting of:

a) a nucleic acid molecule having a nucleotide sequence which is at least 90% identical to the nucleotide sequence of SEQ ID NO: 45 or 46; and

b) a nucleic acid molecule which encodes a polypeptide comprising the amino acid sequence encoded by SEQ ID NO: 46.

2
2
~~68~~. (New): The isolated nucleic acid molecule of claim ~~67~~, or its complement, wherein the nucleic acid molecule has a sequence which is at least 90% identical to the nucleotide sequence of SEQ ID NO: 45 or 46.

3
3
~~69~~. (New): The isolated nucleic acid molecule of claim ~~68~~, or its complement, wherein the nucleic acid molecule has a sequence which is at least 95% identical to the nucleotide sequence of SEQ ID NO: 45 or 46.

4
4
~~70~~. (New): The isolated nucleic acid molecule of claim ~~67~~, or its complement, wherein the nucleic acid molecule encodes a polypeptide comprising the amino acid sequence encoded by SEQ ID NO: 46.

5
5
~~71~~. (New): The isolated nucleic acid molecule of claim ~~67~~, or its complement, wherein the molecule is selected from the group consisting of:

a) a nucleic acid having the nucleotide sequence of SEQ ID NO: 45 or 46; and

b) a nucleic acid molecule which encodes the amino acid sequence encoded by SEQ ID NO: 46.

⁶ ~~72~~. (New): The nucleic acid molecule of claim ¹~~67~~, or its complement, further comprising vector nucleic acid sequences.

⁷ ~~73~~. (New): The nucleic acid molecule of claim ¹~~67~~, or its complement, further comprising nucleic acid sequences encoding a heterologous polypeptide.

⁸ ~~74~~. (New): A host cell which contains the nucleic acid molecule of claim ¹~~67~~ or its complement.

⁹ ~~75~~. (New): The host cell of claim ⁸~~74~~ which is a mammalian host cell.

¹⁰ ~~76~~. (New): The host cell of claim ⁸~~74~~, which is a prokaryotic host cell.

¹¹ ~~77~~. (New): A non-human mammalian host cell containing the nucleic acid molecule of claim ¹~~67~~ or its complement.

sub. > ~~78~~. (New): A method for producing a polypeptide that exhibits lipase activity, the method comprising culturing the host cell of claim 74 under conditions in which the nucleic acid molecule is expressed.

¹²
¹³ ~~79~~. (New): The method of claim ¹²~~78~~, wherein the polypeptide comprises the amino acid sequence encoded by SEQ ID NO: 46.

¹⁴80. (New): An isolated nucleic acid molecule, or its complement, comprising at least 100 consecutive nucleotide residues of SEQ ID NO: 45 or 46.

Art Unit: 1646

DETAILED OFFICE ACTION

Applicant's amendment filed on 04 December 2003 is acknowledged and entered. Following the amendment, claims 1-7, 12, and 24-66 are canceled, and the new claims 67-80 are added.

Currently, claims 67-80 are pending and under consideration.

Applicants submission of IDS references listed on PTO-1449, filed on 20 November 2002 is acknowledged. It is noted that the relevance of all listed references having a "GenPept Accession number" or a "GenBank Accession number" cannot be assessed as they are nucleic acid/amino acid sequences, and no indication of relevance or alignment to the disclosed sequences has been provided.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jean Silveri on 05 January 2004.

The application had been amended as follows:

In claim 78, the content has been replaced by the following:

¹²
-- ~~78.~~ A method for producing a polypeptide that exhibits lipase activity, the method comprising culturing the host cell of claim ~~74~~⁸ under conditions in which the nucleic acid molecule is expressed, thereby producing a polypeptide that exhibits lipase activity. --

Conclusion:

Claims 67-80 are allowed.